

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENNETT L. KIGHT,

Defendant.

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CIVIL ACTION NO.
1:16-CR-0099-AT-1


ORDER

The Government filed a Second Superseding Indictment in this matter on May 7, 2019. (Doc 184). The Court thereafter conducted a phone conference with counsel on May 17, 2019, regarding the status of Defendant's pending motions that were filed prior to the Second Superseding Indictment. The Parties agreed with the Court that the case should be decertified as ready for trial based on these overall circumstances.

The Court refers the case back to Magistrate Judge Linda Walker for further proceedings, with these additional notations based upon the Court's May 17th conference with counsel. The Court's understanding from the conference was that Defendant planned to re-submit the pending motions (Doc. 164, 177) but that the

parties may potentially reach some type of agreement regarding resolution of the pending Motion in Limine (Doc. 164). Counsel should advise the Magistrate Judge of the status of the re-submission of these motions by May 30, 2019, and how they wish to proceed, if the motions have not been re-filed by that date or if they have not otherwise updated the Magistrate Judge. If either party views any portion of the Motion in Limine as solely an evidentiary matter for resolution at trial, that party should advise the Magistrate Judge and the presiding judge accordingly. Finally, given the case's decertification, the Court finds that Defendant's Motion for Early Setting of Pretrial Conference (Doc. 181) before this Court is moot for now, and it is therefore **DENIED**, though it may be renewed at a later date when the case is once again certified as ready for trial.

It is **SO ORDERED** this 22nd day of May, 2019.



AMY TOTENBERG
UNITED STATES DISTRICT JUDGE